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## ABSTRACT

The study guide, intended for adults wishing to obtain a General Educational Development (GED) certificate in Illinois, discusses the U.S. Constitution, the Illinois Constitution, the Declaration of Independence, and rules for displaying the U.S. flag. The objective is to aid adults in passing the constitution component of the GED examination. Topics covered include the history and important topics of the Declaration of Independence; the history, concept definitions, and articles of the U.S. Constitution; the United States government system and its processes; amendments to the Constitution; the Illinois Constitution and state government procedures and responsibilities; local government powers; and rules for displaying the flag. Questions pinpointing major concepts are offered for each topic, followed by reading material and the answers to the questions, as well as definitions for important terms and concepts. (CK)

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# STUDY GUIDE

## Constitution

of the  
State of Illinois  
and  
United States

U.S. DEPARTMENT OF HEALTH,  
EDUCATION & WELFARE  
NATIONAL INSTITUTE OF  
EDUCATION

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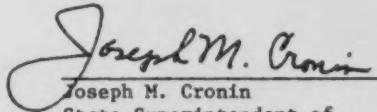
Joseph M. Cronin  
State Superintendent of Education

## FOREWORD

For a variety of reasons, many adults have not completed a regular high school program of instruction. In the last decade thousands of these adults were administered the GED examination in the State of Illinois. The aspiration and goal of each of these adults is to obtain a GED certificate.

In addition to passing the GED examination, each of these adults must also comply with Section 27-3 of The School Code of Illinois. This particular section requires the successful passage of an examination on the Constitution of the State of Illinois and United States.

We are hopeful that this publication will assist those adults in preparing for the constitution examination. We are pleased that the State Board of Education, Illinois Office of Education is making this publication available to the adults of the State of Illinois.

  
Joseph M. Cronin  
State Superintendent of  
Education

## INTRODUCTION

An Illinois law requires that all GED candidates in the State must pass a Constitution Test in order to receive their GED Certificates. This Test covers the U.S. Constitution, the Illinois Constitution, the Declaration of Independence, and the rules for properly displaying the U.S. flag. The lawmakers believed that if students understood their government, they would be better citizens. The purpose of the Constitution Guide is to help you understand the documents covered by the Constitution Test.

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## PART ONE: THE DECLARATION OF INDEPENDENCE

### DECLARING INDEPENDENCE

#### Focus Your Reading

Directions: Read the following questions. Think of possible answers.

1. What are two main points covered in the Declaration of Independence?

---

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2. What is the theory of American government?

---

3. What was the date that the Declaration of Independence became effective?

---

4. Who wrote the Declaration of Independence?

---

#### Explanation

Directions: Read the following paragraphs to get a better understanding of the Declaration of Independence. Read to find the answers to the questions above.

America declared its independence from England on July 4, 1776. One of the main authors of this Declaration of Independence was Thomas Jefferson. The Declaration contained no laws for America. Two important topics in the Declaration are explained below.

- (1) One topic was the statement of the theory of American government. This theory is the one on which the U.S. Constitution is based. This theory is: the government works for its citizens; the citizens do not exist for the good of the government.

- (2) Another major topic was the listing of the wrongs done to Americans by the English government. These statements were needed to show the world that the American people had good reasons for overthrowing the English government in America.

---

Directions: Return to the "Focus Your Reading" questions above; answer these questions. Check your answers below.

---

Answers: Focus Your Reading

1. Two points covered in the Declaration of Independence are:
  - (1) the theory of American government, and
  - (2) the listing of the wrongs done to the Americans by the English government.
2. The theory of American government is that the government's power is given to it by the people.
3. July 4, 1776, was the date that the Declaration of Independence became effective.
4. Thomas Jefferson was one of the major writers of the Declaration of Independence.

## PART TWO: THE U.S. CONSTITUTION

### WRITING THE CONSTITUTION: Introduction

#### Vocabulary

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Directions: Study the words and their definitions.  
Take the vocabulary quiz which follows the words.  
Check your answers.  
Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. central, national, federal government: All these words mean the government which is now in Washington and is headed by the President.
2. Congress: The Senate and House of Representatives make up the Congress. The Congress is the lawmaking branch of the federal government.
3. Legislative Department: The lawmaking branch of the federal government (Congress is officially called the Legislative Department.)
4. Executive Department: This is the branch of the federal government which contains the President and Vice President. It also includes the people the President appoints to help enforce the laws Congress makes.
5. Judicial Department: This is the branch of the federal government which contains the courts and judges.
6. amendment: A change to the U.S. Constitution.

#### Vocabulary Quiz

---

Directions: Put the letter of the correct definition in the blank in front of the word it defines. Check your answers below.

---

- |                                   |                                                                                               |
|-----------------------------------|-----------------------------------------------------------------------------------------------|
| ___ 1. central, national, federal | a. President, Vice President and people the President appoints make this branch.              |
| ___ 2. Congress                   | b. the Senate and House of Representatives.                                                   |
| ___ 3. Legislative Department     | c. The courts and judges make up this branch of the federal government.                       |
| ___ 4. Executive Department       | d. The lawmakers(congress) make up this branch of the federal government.                     |
| ___ 5. Judicial Department        | e. Names for the main government of the United States; this government is in Washington, D.C. |
| ___ 6. amendment                  | f. a change to the Constitution.                                                              |

Answers: Vocabulary Quiz

1. e 2. b 3. d 4. a 5. c 6. f

## PART TWO: THE U.S. CONSTITUTION

### WRITING THE CONSTITUTION: Introduction

#### Focus Your Reading

Directions: Read the following questions. Think of possible answers.

1. What was the name of the first plan of government for the U.S.?  
\_\_\_\_\_
2. What was wrong with this plan of government? \_\_\_\_  
\_\_\_\_\_
3. In what year was the convention held which wrote the current U.S. Constitution?  
\_\_\_\_\_
4. Where was the convention held which wrote the current U.S. Constitution?  
\_\_\_\_\_
5. What is the main idea upon which the U.S. government is founded (stated in the Preamble and the Declaration of Independence)? \_\_\_\_\_  
\_\_\_\_\_
6. How many articles are there in the Constitution?  
\_\_\_\_\_
7. When did we get the first ten amendments? \_\_\_\_\_  
\_\_\_\_\_
8. Why are the first ten amendments so important to you? \_\_\_\_\_  
\_\_\_\_\_
9. Name the three parts of the Constitution. \_\_\_\_\_  
\_\_\_\_\_

10. What are two terms which are often used to refer to the "federal" government in Washington? \_\_\_\_\_

Explanation

---

Directions: Read the following paragraphs to get a better understanding of the writing of the Constitution. Read to find the answers to the questions above.

---

The first plan of government for the U.S. was written in 1777. This plan was called the Articles of Confederation. The plan failed because it gave too little power to Congress and too much power to each state. The states failed to work together and the U.S. government was too weak. In May 1787, Congress met in Philadelphia to try again to write a plan of government for the U.S. This meeting is often called the Philadelphia Constitutional Convention of 1787.

This time the Congress planned to make the national government stronger than all the state governments. They called the new plan they wrote the "Constitution." They divided the Constitution into two parts. Later a third part was added.

What is in the first part, the Preamble? The first part is a one sentence introduction called the Preamble. The Preamble contains no laws, but it restates the main idea that Thomas Jefferson had made in the Declaration of Independence. This idea is that the people give the power to the government in the U.S. The government is to be the servant of the people, not the master of the people.

What is in the second part, the Articles? The second part of the Constitution is seven separate articles. Each article gives the plan for a part of the government; their titles are listed below.

|              |                                    |
|--------------|------------------------------------|
| Article I:   | The Legislative Department         |
| Article II:  | The Executive Department           |
| Article III: | The Judicial Department            |
| Article IV:  | How the States Shall Work Together |
| Article V:   | How to Amend the Constitution      |

## Article VII: Putting the Constitution to Work

Some of the states accepted it quickly, but others were afraid that each person's freedoms were not guaranteed to him or her. So, the men who had written the Constitution promised to add amendments to the end of the Constitution. These amendments would guarantee personal freedoms to all. Enough states then agreed to sign the Constitution.

Since the addition of the Bill of Rights, sixteen more amendments have been added to the Constitution.

**Directions:** Return to the "Focus Your Reading" questions above; answer these questions. Check your answers below.

**Answers: Focus Your Reading**

1. The first plan for the U.S. government was the Articles of Confederation.
2. The Articles of Confederation failed because each state had too much power, and the federal government had too little.
3. The Convention which wrote the Constitution you are studying met in Philadelphia in 1787.
4. The theory of American government is that the powers of government rest in the people.
5. There are seven articles in the U.S. Constitution.

6. The first Congress which met after the signing of the U.S. Constitution wrote the Bill of Rights (the first ten amendments).
7. The first ten amendments guarantee personal freedoms to each American citizen.
8. The three parts of the Constitution are the Preamble, the 7 articles, and the 26 amendments.
9. "Central" and "national" are two terms used to refer to the federal government in Washington.

## PART TWO: THE U.S. CONSTITUTION

### WRITING THE CONSTITUTION: The Federal System and Separation of Powers

#### Vocabulary

---

Directions: Study the words and their definitions. Take the vocabulary quiz which follows the words. Check your answers. Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. federal system of government: This is the system of government designed by the writers of the Constitution. It is a union of states under a central government. The central government is the most powerful. This central government is separate from the governments of the several states.
2. delegated powers: These 18 powers are enumerated (listed) in the Constitution. They are the powers given to the federal lawmakers (Congress).
3. reserved powers: There are powers not given to the Congress. If these powers are not forbidden to the states, the 10th Amendment says they belong either to the states or the people.
4. implied powers: These powers are not stated in the Constitution, but are "hinted" at by the "necessary and proper" clause in Article I. These are the powers the U.S. Congress assumes in order to carry out the delegated powers.

#### Vocabulary Quiz

---

Directions: Put the letter of the correct definition in the blank in front of the word it defines. Check your answers below.

---

1. federal system of government      a. powers not given to the federal government

- |                                                                                       |                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ____ 2. delegated powers<br><br>____ 3. reserved powers<br><br>____ 4. implied powers | b. state governments united under one stronger central government<br>c. powers "hinted" at by the "necessary and proper" clause of Article I<br>d. 18 powers listed in Article I; powers given to the U.S. Congress |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Answers: Vocabulary Quiz

1. b 2. d 3. a 4. c

Focus Your Reading

---

Directions: Read the following questions. Think of possible answers.

---

1. What is a federal system of government? \_\_\_\_\_  
\_\_\_\_\_
2. Article I (The Legislative Department) gives \_\_\_\_\_ (number) powers to the U.S. Congress.
3. Where does Congress get the authority to use powers other than the 18 listed ones?  
\_\_\_\_\_  
\_\_\_\_\_
4. How does each state get its powers? \_\_\_\_\_  
\_\_\_\_\_
5. How many branches are there in the federal government? \_\_\_\_\_
6. What are the names of the branches? \_\_\_\_\_  
\_\_\_\_\_
7. What is the division of duties within the federal government most often called?  
\_\_\_\_\_

8. Which article states the laws governing the Legislative Department (Congress)? \_\_\_\_\_
9. Which article states the laws governing the Executive Department (the President and advisors)? \_\_\_\_\_
10. Which article states the laws governing the Judicial Department (the courts and judges)? \_\_\_\_\_

Explanation

---

|             |                                                                                                                                                                                        |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Directions: | Read the following paragraphs to get a better understanding of the federal system and separation of powers in the federal government. Read to find the answers to the questions above. |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

---

The men who wrote the Constitution designed the federal system of government. This system divided the powers of government between the national (federal) government and the state governments. The powers given to the federal government are called the delegated powers. The states were allowed to keep some powers, and these are called the reserved powers.

What are the powers delegated to the Congress? Powers delegated to the federal government are of two types. These are called (1) expressed and (2) implied powers.

- (1) There are 18 expressed powers in Article I. These are sometimes called enumerated powers because they are listed and can be counted.

After listing the 18 powers, the writers of the Constitution knew that they had not thought of every power the Congress might need. Thus, they added a paragraph at the end of the enumeration of these 18 powers. This paragraph is often called the "necessary and proper" clause.

- (2) The "necessary and proper" clause says (in part): (Congress shall have the power to) "Make all laws necessary and proper for carrying into execution

the foregoing (18 expressed) powers..." The powers assumed by Congress as a result of the "necessary and proper" clause are called implied powers.

What are the reserved powers? The powers reserved to the states are those not enumerated as belonging to the U.S. Congress. The 10th Amendment is the last amendment in the Bill of Rights. It says that if a power is not given to Congress by the Constitution or prohibited to the states, the power belongs to the states or to the people.

For example, since the Constitution does not mention education, marriage, or divorce; each state may make laws governing them.

What is the separation of powers? The writers of the Constitution did not want any of the three parts of the national government to become too powerful. To keep any part of the government from becoming too strong, the writers divided the powers of the federal government among three branches. The three branches of the federal government are the Legislative, the Executive, and the Judicial. This division into three branches is often called the "separation of powers."

Laws which control the powers of the Legislative Department are found in Article I.

Laws which control the powers of the Executive Department are found in Article II.

Laws which control the powers of the Judicial Department are found in Article III.

---

|             |                                                                                                       |
|-------------|-------------------------------------------------------------------------------------------------------|
| Directions: | Return to the "Focus Your Reading" questions above; answer these questions. Check your answers below. |
|-------------|-------------------------------------------------------------------------------------------------------|

---

Answers: Focus Your Reading

1. A federal system of government has several states united under one central government. The central government is the strongest government.
2. Article I gives 18 delegated powers to the U.S. congress.
3. Congress gets additional powers from the "necessary and proper" clause of Article I.

4. Each state gets its powers from the 10th Amendment. It says that all powers not delegated to the U.S. Congress nor prohibited to the states belong to the states or the people.
5. There are three branches in the federal government.
6. The three branches in the federal government are the Legislative, Executive, and Judicial.
7. The division of powers among the three branches of the federal government is called the separation of powers.
8. Article I states the laws governing the Legislative Department.
9. Article II states the laws governing the Executive Department.
10. Article III states the laws governing the Judicial Department.

## PART TWO: THE U.S. CONSTITUTION

### ARTICLE I: The Legislative Department

#### Vocabulary

---

Directions: Study the words and their definitions. Take the vocabulary quiz which follows the words. Check your answers. Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. compromise: In a disagreement, both sides "give" a little so a settlement can be reached. This "giving" and resulting settlement are called a compromise.
2. impeachment: To accuse a public official of breaking the rules which say how one should act in office. (The House of Representatives accuses federal officials of breaking the rules. If the House of Representatives has enough evidence against the officials, they are put on trial. The Senate is the jury in the trial.)
3. census: A counting of the people living in the United States.

4. apportionment: The determination of the number of members each state is allowed in the U.S. House of Representatives. This determination must be made every ten years, after each census. Each state gets a portion of the total 435 Representatives. The number each state gets is based on the portion of total U.S. population that lives in the state. For example: If New York has 13% of the total U.S. population living there, then New York gets to elect 13% of the members of the House of Representatives.
5. concurrent: These are the powers both the state and federal governments have at the same time. An example is the power to tax. (Concurrent means "at the same time.")
6. habeas corpus: A writ of habeas corpus is a court order. This order requires that the police must bring each prisoner into court. Here the prisoner must be told the reason for his or her arrest. The phrase, "Habeas corpus shall not be suspended," means that the right to be told why you are imprisoned cannot be taken away from you.
7. bill of attainder: In England, a bill of attainder was an act of Parliament (England's congress). By it, people could be tried and called "guilty" without a jury, court, or witnesses. When the English were ruling America, bills of attainder were used by Englishmen against Americans. The Constitution forbids them.
8. ex post facto: A law which makes an act a crime after it has been done.
9. bicameral: Latin for "two houses." The two houses of Congress (the Senate and the House of Representatives) make the Legislature bicameral. When the writers of the Constitution made the "great compromise," the result was a bicameral legislature.
10. eminent domain: the right to take one person's property if the property will then be used for the good of many people. (The property owner must be given a fair price for the property.)

11. President pro tempore: The Vice President of the U.S. leads the Senate. When he or she cannot attend Senate meetings, an elected temporary leader is in charge. This elected temporary leader of the Senate is the President pro tempore.

Vocabulary Quiz

---

Directions: Put the letter of the correct definition in the blank in front of the word it defines. Check your answers below.

---

- |                                     |                                                                                                 |
|-------------------------------------|-------------------------------------------------------------------------------------------------|
| ___ 1. compromise                   | a. to accuse a public official of doing wrong while in office                                   |
| ___ 2. impeach                      | b. count of people in the U.S. (every 10 years)                                                 |
| ___ 3. apportionment                | c. a court order that says a prisoner must be told why he or she was arrested                   |
| ___ 4. census                       | d. a law which makes an act illegal after it has been done                                      |
| ___ 5. concurrent                   | e. having two houses                                                                            |
| ___ 6. writ of <u>habeas corpus</u> | f. if this government power is used, the taking of property must be accompanied by a fair price |
| ___ 7. bill of attainder            |                                                                                                 |
| ___ 8. <u>ex post facto</u> law     |                                                                                                 |

- |                                      |                                                                                                     |
|--------------------------------------|-----------------------------------------------------------------------------------------------------|
| ___ 9. bicameral                     | g. leader of the Senate when the Vice President of the U.S. cannot be present at meetings           |
| ___ 10. eminent domain               | h. at the same time                                                                                 |
| ___ 11. President <u>pro tempore</u> | i. giving each state the number of Representatives it deserves based on the population of the state |
|                                      | j. an act of Parliament which allowed a person to be punished without a trial, jury, or witnesses   |
|                                      | k. each side "gives" a little in an argument                                                        |

Answers: Vocabulary Quiz

1. k 2. a 3. i 4. b 5. h 6. c 7. j 8. d 9. e 10. f  
11. g

Focus Your Reading

---

Directions: Read the following questions. Think of possible answers.

---

1. What was the "great compromise" which the large and small states made?

---

2. Why did the creation of the Senate help satisfy the small states?

---

3. Who elected Senators before 1913? \_\_\_\_\_
4. Who runs the elections for Congresspersons? \_\_\_\_\_  
\_\_\_\_\_
5. Who determines if Senators and Representatives are elected properly? \_\_\_\_\_  
\_\_\_\_\_
6. What is a census? \_\_\_\_\_
7. How often do we reapportion the membership of the House of Representatives?  
\_\_\_\_\_
8. Who is the leader of the House of Representatives? \_\_\_\_\_
9. Who is the leader of the Senate? \_\_\_\_\_
10. What are the qualifications for Senators? \_\_\_\_\_  
\_\_\_\_\_
11. What are the qualifications for Representatives?  
\_\_\_\_\_
12. List 5 powers which the Constitution has given to the Congress: \_\_\_\_\_  
\_\_\_\_\_
13. What is the power given to the President in Article I? \_\_\_\_\_
14. What is Congress forbidden to do? \_\_\_\_\_  
\_\_\_\_\_
15. What is an ex post facto law? \_\_\_\_\_
16. What is a bill of attainder? \_\_\_\_\_  
\_\_\_\_\_

17. What is a writ of habeas corpus? \_\_\_\_\_

Explanation

---

Directions: Read the following paragraphs to get a better understanding of the Legislative Department of the federal government. Read to find the answers to the questions above.

---

Article I states the laws governing the Legislative Department of the federal government. The Legislative Department is called the Congress. Congress is made up of the Senate and the House of Representatives. It is Congress's duty to make the laws for our nation. Only Congress can make laws for all of the U.S.

What was the "great compromise?" The Philadelphia Constitutional Convention in 1787 had to settle several arguments between the states. The small states wanted to keep the powers they had under the Articles of Confederation. The big states thought they needed more power than the small states because they had more people. The little states wanted as much power as the big ones. A compromise was made when the little and big states agreed they would divide the lawmaking branch into two houses.

- (1) The big states were satisfied by the creation of the House of Representatives. In the House, members were elected on the basis of each state's population. The larger states were given more Representatives.
- (2) The little states were satisfied because of the creation of the Senate. In the Senate, each state was allowed two Senators. Thus, the interests of the small states were protected in the Senate.

How do we elect Senators and Representatives (Congresspersons)? The lawmakers in each state decide how the elections for U.S. Congresspersons shall be conducted. Until 1913, the lawmakers in each state elected the U.S. Senators. Amendment 17 changed this. Now, Senators are directly elected by the people of each state.

How many Senators does each state have? Each state has two Senators.

How many Representatives does each state have? Every ten years the people living in the U.S. are counted. This counting is called a census. After the census, the House member seats are divided among the states. This division is based on each state's population. This process is called apportionment. Illinois has 24 of the total 435 Representatives.

What are the differences between Senators and Representatives (Congresspersons)?

|                                                  | REPRESENTATIVES                                 | SENATORS                                                            |
|--------------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------|
| What is the minimum age?                         | 25                                              | 30                                                                  |
| What is the total number?                        | 435                                             | 100                                                                 |
| What is the length of the term?                  | 2 years                                         | 6 years                                                             |
| Where must s/he live?                            | In the state s/he represents                    |                                                                     |
| How long must s/he have been a U.S. citizen?     | 7 years                                         | 9 years                                                             |
| How are seats apportioned?                       | 5 of total U.S. populations living in the state | 2 per state                                                         |
| What is the function in impeachment proceedings? | Accuses the official                            | Acts as jury if the House gives enough evidence to try the official |

Who is the leader?

Elected Speaker

1. Vice President of the U.S.
2. President pro tempore

---

What are the powers of Congress? The Legislative Department (Congress) has 18 powers delegated to it by the U.S. Constitution. Some of the most important of these powers are the powers to:

1. raise and support an army
2. collect taxes
3. borrow money
4. call up a state's militia (National Guard is the name of the militia in Illinois.)
5. regulate trade
6. make money
7. set up the courts lower than the Supreme Court. (The Constitution established only the Supreme Court.)
8. declare war (The President cannot declare war; only the Congress can. However, the President directs the actions of the military during the war. S/he is Commander-in-Chief of the armed forces.)
9. fix the standards of weights and measures
10. set up post offices
11. set up a system of courts

The Legislative Department also has "implied" powers; the Congress uses these powers to make laws which will allow it to carry out the 18 delegated powers.

What power does Article I give the President? Article I gives the President the power to veto or approve the laws which Congress makes.

What are concurrent powers? The federal and state governments have some of the same powers that can be used at the same time. These are called concurrent powers. One example is the power to tax. Another concurrent power is the right of eminent domain. Both the federal and state governments may take one citizen's property to use for the good of many citizens. The government must give the person a fair price for the property. (An example is the government's taking a person's land to build a highway.)

What is Congress forbidden to do? Article I also forbids Congress to do certain things. Three of the most important are (1) to suspend the privilege of writs of habeas corpus, (2) to issue bills of attainder, and (3) to pass ex post facto laws.

- (1) A writ of habeas corpus is a prisoner's guarantee that s/he will be taken into court and be told why s/he was arrested. Congress may not suspend these writs.
- (2) A bill of attainder was a legislative act in England which allowed people to be punished without trial.
- (3) An ex post facto law is a law which makes an act a crime after it has been done.

What must Congress do? The Congress must keep a record of the words spoken during its meetings.

The Congress must judge if elected Senators and Representatives are qualified. They decide if their elections have been held properly. Both houses of the Congress can vote to expel a member if two-thirds of the total membership agree. (Senators and Representatives are not impeached.)

Who leads the Congress? The House of Representatives is to elect a Speaker who is the leader of the House. The Senate's leader is the Vice President of the U.S. However, the Senate has to elect a leader to serve when the Vice President is absent. This elected, temporary leader is called the President pro tempore.

Both the Senate and the House of Representatives are to elect other officers which they need in order to conduct business. These jobs are not named in the Constitution.

---

Directions: Return to the "Focus Your Reading" questions above. Answer the questions. Check your answers below.

---

Answers: Focus Your Reading

1. The "great compromise" was the creation of the Congress. Congress was made up of the House of Representatives and the Senate. In the House, the

- large states received more representation. In the Senate, the small states were given as many members as the large states.
2. The small states liked the idea of the Senate because all states were equally represented there.
  3. Until 1913, Senators were elected by each state's lawmakers. The Representatives have always been elected by the people.
  4. Each state is responsible for conducting the elections that choose the men who will represent the state in Congress.
  5. Both the Senate and the House of Representatives determine if their members have met the qualifications and if they have been properly elected.
  6. A census is a counting of the U.S. population every 10 years.
  7. The House of Representatives is reapportioned every 10 years, after each census.
  8. The leader of the House is called the Speaker of the House. S/he is a member of the House. S/he is elected by the other members of the House.
  9. The Senate leader is the Vice President of the U.S. When s/he must miss a meeting, an elected Senator leads the Senate. This elected temporary leader is called the President pro tempore.
  10. Senators must be 30 years old and have been a U.S. citizen for 9 years. They do not have to be natural born citizens.
  11. Representatives must be 25 years old and have been a U.S. citizen for 7 years. They do not have to be natural born citizens.
  12. Some important powers of Congress are to collect taxes, borrow money, call up a state's militia, regulate trade, make money, set up courts lower than the Supreme, declare war, and raise and support an army.
  13. Article I gives the President the power to veto or approve the laws which Congress makes.
  14. Three important things Congress cannot do are 1) suspend writs of habeas corpus, 2) issue bills of attainder, or 3) pass ex post facto laws.
  15. An ex post facto law is a law which makes an act a crime after it has been done.
  16. A bill of attainder was a legislative act in England which allowed a person to be punished without a trial. These are illegal in the United States.
  17. A writ of habeas corpus is a prisoner's guarantee that s/he will be brought into court and told why s/he was arrested.

## PART TWO: THE U.S. CONSTITUTION

### ARTICLE II: The Executive Department

#### Vocabulary

---

Directions: Study the words and their definitions.  
Refer to the vocabulary as needed  
when reading the "Explanation"  
which follows.

---

1. cabinet: the President's advisers. The President appoints members of Executive departments to help him/her "execute" the laws. George Washington was the first President to use the heads of each of the Executive departments to serve in a group as his advisers. This group of Executive department heads was called the Cabinet. Each President after George Washington has also used these Executive department heads to serve as his advisers.
2. Electoral College: people in each state who are chosen by the voters of the state. These people are to elect the President and Vice President.
3. majority: more than half.

#### Focus Your Reading

---

Directions: Read the following questions. Think  
of possible answers.

---

1. Who actually elects the President (Vice President)?  
\_\_\_\_\_
2. Must a candidate win a majority of both the Electoral  
and popular votes? \_\_\_\_\_
3. If no candidate received a majority of the Electoral  
votes, who chooses the President from the top  
three candidates? \_\_\_\_\_
4. What department of the federal government is given  
the power to declare war?  
\_\_\_\_\_

5. Who is Commander-in-Chief of the armed forces (directs military operations) during a war? \_\_\_\_\_
6. What are three requirements that the President must meet in order to be elected? \_\_\_\_\_
7. How can Congress punish Executive and Judicial Department officials for committing wrongs? \_\_\_\_\_
8. In impeachment actions the \_\_\_\_\_ accuses the official of wrongdoing. The \_\_\_\_\_ tries the official.
9. Which department of the federal government deals with foreign nations? \_\_\_\_\_
10. Who can make treaties? \_\_\_\_\_
11. Who must approve treaties? \_\_\_\_\_
12. How long can the President serve? \_\_\_\_\_

#### Explanation

Directions: Read the following paragraphs to get a better understanding of the Executive Department of the federal government. Read to find the answers to the questions above.

Article II states the laws which tell how the Executive Department of the federal government shall be run. The Executive Department has two elected officials, the President and the Vice President. This Department also includes Executive departments. The heads of these departments are appointed by the President and they serve as advisers to him/her. These advisers are called the Cabinet. The Executive Departments, their heads, and duties are listed below.

| <u>Department</u>                       | <u>Title of Head</u> |
|-----------------------------------------|----------------------|
| 1. State (deals with foreign countries) | Secretary of State   |

- |                                                                                              |                                             |
|----------------------------------------------------------------------------------------------|---------------------------------------------|
| 2. Agriculture (deals with farm animals)                                                     | Secretary of Agriculture                    |
| 3. Treasury (plans U.S. spending)                                                            | Secretary of Treasury                       |
| 4. Justice (sees that the laws work)                                                         | Attorney General                            |
| 5. Labor (helps the nation's workers)                                                        | Secretary of Labor                          |
| 6. Defense (looks after the nation's defense)                                                | Secretary of Defense                        |
| 7. Health, Education, and Welfare (looks after the country's health, education, and welfare) | Secretary of Health, Education, and Welfare |
| 8. Transportation (supervises the nation's transportation systems)                           | Secretary of Transportation                 |
| 9. Housing and Urban Affairs (helps the cities)                                              | Secretary of Housing and Urban Affairs      |
| 10. Interior (plans the use of land, water)                                                  | Secretary of the Interior                   |
| 11. Commerce (helps business)                                                                | Secretary of Commerce                       |

What is the duty of the Executive Department? The Executive Department's duty is to make sure that the laws of the Constitution and the laws made by Congress are followed. The President and Vice President are responsible for this "execution" of the laws. The President appoints the members of the Executive departments to help carry out the laws.

When are the President (Vice President) chosen? The Constitution said that Congress could choose the date for the election of the President and Vice President. Congress decided that the election should be the Tuesday after the first Monday in November of every fourth year.

How is the President (Vice President) elected? The President is elected by the Electoral College.

Who chooses the Electoral College? When the citizens vote in Presidential elections, they are actually voting for Electors. The Electors from each state form the Electoral College. The winning Electors meet in December in their state capitals to vote for the President. Their votes are sent to Washington to be counted.

Whose names are on the ballot? Some states put only the names of the political parties' Electors on the ballot. Some states put both the Electors' names and the political parties' candidates' names. Most states put only the names of the political party candidates.

Who gets each state's Electoral votes? The candidate who wins most of the citizens' votes in the state gets all the state's Electoral votes. (Maine is the only state which does not give the winner all the votes.) There have been only a few times when the states' Electors did not all vote for the candidate who won the most popular votes.

What happens to your vote? If you vote for the Democratic party's candidate, you are actually voting for Electors who will vote for this candidate in December. They will get to vote in December if their candidate wins most of the citizens' votes in the state.

If you vote for the Republican party's candidate, you are actually voting for Electors who plan to vote for this candidate in December. They will get to vote in December if the Republican candidate wins most of the state citizens' votes.

If you vote for a candidate who is not from the two major political parties, you are actually voting for Electors who plan to vote for this candidate in December. These electors will get to vote in December if their candidate wins most of the citizens' votes in the state.

Which candidate wins the Presidential election? Each state's Electoral votes are received in Washington and counted. The candidate who receives a majority (one more than half) of the Electoral votes is President.

What happens if no candidate for President received a majority of the Electoral votes? The House of Representatives chooses the President from among the three people who received the most votes from the Electoral College.

How long can the President serve? Article II set four years as the length of the President's term of office. It set no limit on the number of terms a President could have.

In 1951, the 22nd Amendment was passed. It limited the number of terms a President could serve to two. It limited the total number of years a President could serve to ten. The Amendment says that no one shall be elected President more than twice. It also said that no one who has served more than two years of another President's term shall be elected more than once.

Under what conditions can the President lose her/his job? The President, Vice President or other executive officers may be accused by the House of Representatives of working against the U.S., taking bribes, or doing other wrongs. The Senate acts as the jury and decides if the official is guilty. If found guilty, the official loses his/her job.

Who takes the President's place if s/he cannot serve? The Vice President does.

How can a new Vice President be chosen? In 1967 Congress passed the 25th Amendment. This Amendment says that if the Vice President cannot serve as Vice President, the President can appoint a new one. (This new Vice President must be approved by Congress.) If the President cannot serve, the Vice President becomes President; then s/he can appoint a new Vice President (with the approval of Congress). Thus, the country should never be without a President. If both the President and Vice President would be disabled at the same time, a 1947 law says that first the Speaker of the House and then the President pro tempore of the Senate shall become President.

What are the President's powers? In Article II the Constitution gives several powers to the President. Some of the most important powers are the powers to:

1. lead the army and navy,
2. lead the militia of the states when the country needs the militia,
3. pardon someone who has committed an act against the government (unless it is an impeachment case),
4. make treaties if 2/3rds of the Senate approve,
5. pick representatives to foreign countries,

6. pick Supreme Court judges,
7. call the Congress into special meetings, and
8. deal with representatives of foreign countries.

Article I (The Legislative Department) gives the President the power to either veto or approve laws made by the Congress.

---

Directions: Return to the "Focus Your Reading" questions above; answer these questions. Check your answers below.

---

Answers: Focus Your Reading

1. The Electoral College actually elects the President (Vice President).
2. A candidate for President must win only a majority of the Electoral votes; s/he does not have to win a majority of the popular votes.
3. If no candidate receives a majority (more than half) of the Electoral votes, then the House of Representatives chooses the President from three candidates who received the most Electoral votes.
4. The Legislative Department (Congress) has the power to declare war.
5. The President is the Commander-in-Chief of the armed forces.
6. The requirements the President must meet are that s/he be
  - a "natural born" citizen
  - 35 years old, and
  - a U.S. resident for 14 years
7. The Congress can punish Executive Department officials who have committed wrongs against the government by an impeachment hearing and trial.
8. In impeachment actions, the House of Representatives accuses the official of wrongdoing. The Senate tries the official. If the Senate finds the official "guilty," the official loses his/her office in the government.
9. The Executive Department deals with foreign nations.
10. The President can make treaties with foreign nations.
11. Two-thirds of the Senators present at the meeting must approve the treaties that the President makes.
12. The President can serve no more than two 4-year terms and no more than an additional two years of another President's term. (No President can serve more than 10 years.)

## PART TWO: THE U.S. CONSTITUTION

### ARTICLE III: The Judicial Department

#### Vocabulary

---

Directions: Study the words and their definitions.  
Take the vocabulary quiz which follows the words.  
Check your answers.  
Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. appeal: in law, appeal means to refuse to accept the decision of a court and then to apply to have the case heard again in a higher court.
2. appellate court: a court which hears appeals.
3. original jurisdiction: A court has original jurisdiction if it is the first court where a case must be tried.
4. treason: fighting or working against your own country.

#### Vocabulary Quiz

---

Directions: Put the letter of the correct definition in the blank in front of the word it defines.

---

- |                              |                                                                                                            |
|------------------------------|------------------------------------------------------------------------------------------------------------|
| ___ 1. appeal                | a. a court where a case must first be tried                                                                |
| ___ 2. appellate court       | b. working against your own country                                                                        |
| ___ 3. original jurisdiction | c. to refuse to accept the decision of a lower court and to apply to have the case heard in a higher court |

\_\_\_ 4. treason

d. a court which hears  
appeal cases

Answers: Vocabulary Quiz

1. c 2. d 3. a 4. b

Focus Your Reading

Directions: Read the following questions; think  
of possible answers.

1. How many courts did the Constitution create? \_\_\_\_  
\_\_\_\_\_
2. Who decides the number of Supreme Court Justices  
(judges)? \_\_\_\_\_
3. How many types of federal courts are there? \_\_\_\_  
\_\_\_\_\_
4. In what kinds of cases does the Supreme Court have  
original jurisdiction? \_\_\_\_\_  
\_\_\_\_\_
5. What are three types of cases U.S. District  
Courts try? \_\_\_\_\_  
\_\_\_\_\_
6. What kinds of cases do the U.S. Circuit Courts of  
Appeal try? \_\_\_\_\_  
\_\_\_\_\_
7. Where do cases go if they have been through the  
state's supreme court but are still not settled?  
\_\_\_\_\_
8. Where must a trial be held? \_\_\_\_\_
9. What is treason? \_\_\_\_\_
10. What evidence must be given if a person is to be  
convicted of treason? \_\_\_\_\_  
\_\_\_\_\_

11. How many Supreme Court judges are there? \_\_\_\_\_
12. How long do federal judges serve? \_\_\_\_\_
13. How can federal judges lose their jobs? \_\_\_\_\_

---

Explanation

---

Directions: Read the following paragraphs to get a better understanding of the Judicial Department of the federal government. Read to find the answers to the questions above.

---

Article III states the laws governing the powers and duties of the Judicial Department. The Judicial Department has the power to hear cases, judge the cases, and give decisions on the cases which deal with the breaking of laws made by Congress.

What are the federal courts? There are three types of federal courts. These courts hear cases which involve the breaking of federal laws. The Supreme Court was the only court created by the Constitution. The Constitution gave Congress the power to create other courts. Congress created two other types of federal courts: the U.S. District Courts and the U.S. Circuit Courts of Appeal.

Congress has the power to decide the number of Supreme Court judges. The first Congress decided there should be six Supreme Court judges. The Congress has increased the number of Supreme Court judges. There are now nine Supreme Court judges.

What is the federal court system?

| Name                              | How many courts/<br>judges?                                          | What are the<br>powers of each court?                                                                                                                                                                                      |
|-----------------------------------|----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| U.S. SUPREME<br>COURT             | One Court<br>9 members (8 Associate<br>Justices, 1 Chief<br>Justice) | Has original<br>jurisdiction<br>in cases involving<br>states and<br>foreign<br>countries.<br><br>Hears cases<br>appealed from<br>the federal<br>Circuit Courts<br>of Appeal and<br>from the state<br>courts.               |
| U.S. CIRCUIT<br>COURTS OF APPEALS | 11 courts<br>Approximately 90<br>judges                              | Hear cases<br>appealed from<br>the U.S. District<br>Courts.<br><br>Have no original<br>jurisdiction.                                                                                                                       |
| U.S. DISTRICT<br>COURTS           | Approximately 100<br>Approximately 100                               | Hear cases<br>involving the<br>breaking of laws<br>in the Consti-<br>tution, or<br>cases between<br>citizens of two<br>different states.<br><br>Have only<br>original<br>jurisdiction,<br>no<br>appellate<br>jurisdiction. |

How are all federal judges chosen? The President chooses all U.S. judges. The Senate must approve the judges the President chooses.

How long do federal judges serve? They may keep their jobs for as long as they live if they have "good behavior." They can retire at age 70 if they want to.

Where must trials be held? A trial must be held in the state where the crime was committed.

What evidence is needed in order to prove treason has been committed? Two witnesses to the act must testify in open court, or the accused person must admit his/her guilt in open court.

---

Directions: Return to the "Focus Your Reading" questions above; answer these questions. Check your answers below.

---

Answers: Focus Your Reading

1. The Constitution created one court, the U.S. Supreme Court.
2. The Congress sets the number of Supreme Court justices (judges).
3. There are now three types of federal courts:  
the U.S. District Courts,  
the U.S. Circuit Courts of Appeal, and  
the U.S. Supreme Court.
4. The Supreme Court has original jurisdiction in cases which involve the states and in cases which involve foreign countries.
5. The U.S. District Courts try cases which involve the breaking of a law written by Congress, which involve something in the Constitution, and which involve the citizens of two different states. They do not hear appeal cases.
6. The U.S. Circuit Courts of Appeal hear cases which were not settled in the U.S. District Courts. No cases begin in these courts.
7. Cases which were not settled by a state's supreme court go directly to the U.S. Supreme Court.
8. A trial must be held in the State where the crime was committed.
9. Treason is fighting against the U.S.
10. If a person is to be convicted of treason, two witnesses must testify in court or the accused person must confess in court.
11. There are nine Supreme Court judges: 8 Associates and 1 Chief Justice.
12. Federal judges serve for life as long as they have "good behavior." They can retire at age 70 if they want.

13. Federal judges may lose their jobs if the Congress completes an impeachment action against them. Congress could begin an impeachment action if a judge were to break a law.

#### HOW A BILL BECOMES A LAW

##### Vocabulary

---

Directions: Study the words and their definitions.  
Take the vocabulary quiz which follows the words.  
Check your answers.  
Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. bill: a proposed law
2. appropriation bill: a proposed law which will involve spending the taxpayers' money.
3. Presidential veto: The President sends a bill back to Congress with a message which says that s/he rejects the bill and why s/he rejects it.
4. pocket veto: the President does not sign a bill sent to him/her by the Congress by holding it for ten days after Congress adjourns (stops meeting).
5. filibuster: a Senator talks for a long time in order to keep the Senate from voting on a bill.
6. lobbyist: people who are paid by certain groups (e.g., oil companies) to talk to Congressional committees about their group's point of view on certain laws. (Lobbyists are people who try to influence members of Congress.)

##### Vocabulary Quiz

---

Directions: Put the letter of the definition in the blank in front of the word it defines.

---

- |                           |                                                                                        |
|---------------------------|----------------------------------------------------------------------------------------|
| ___ 1. bill               | a. The President rejects a bill and sends a message to Congress giving his/her reason. |
| ___ 2. appropriation bill | b. a bill which is a plan to spend the taxpayers' money                                |
| ___ 3. Presidential veto  | c. people who want to influence Congresspersons to pass certain laws                   |
| ___ 4. pocket veto        | d. a Senator's method of delaying the Senate's voting on a bill                        |
| ___ 5. filibuster         | e. a proposed bill                                                                     |
| ___ 6. lobbyists          | f. the President does not sign a bill within ten days after Congress adjourns          |

Answers: Vocabulary Quiz

1. e 2. b 3. a 4. f 5. d 6. c

Focus Your Reading

---

Directions: Read the following questions.  
Think of possible answers.

---

- Which house of Congress may begin laws which involve spending the taxpayers' money? \_\_\_\_\_
- How may a Senator delay the vote on a bill? \_\_\_\_\_
- How much time does the President have to veto a bill? \_\_\_\_\_

4. What is a Presidential veto? \_\_\_\_\_  
\_\_\_\_\_
5. What is a pocket veto? \_\_\_\_\_  
\_\_\_\_\_
6. What is the name for people who work for groups  
which want to affect the way Congresspersons vote?  
\_\_\_\_\_

### Explanation

---

Directions: Read the following paragraphs to  
get a better understanding of the  
way in which a bill becomes a law.  
Read to find the answers to the  
questions above.

---

Where can proposed laws (bills) begin? Most bills can  
be introduced in either house of Congress. The only  
type of bill that cannot be introduced by either house  
is an appropriation bill. This is a bill which involves  
spending the taxpayers' money. Appropriation bills  
must begin in the House of Representatives.

What happens after a law is proposed? For example: if  
a bill is first presented by a Representative in the  
House, it is then sent to a House committee which will  
study the bill. The committee will then recommend to  
approve or reject the bill. If the committee recommends  
that the bill be approved, the bill is then read in  
front of all the House members.

The bill may then be changed by the House members,  
returned to the committee for changes, or approved.

The bill then is later read again to the house members,  
and a vote is taken. If a majority (one more than  
half) of the voting members approve it, the bill is  
"passed."

After the bill "passes" the House, it is sent to the  
Senate. The bill goes to a Senate committee. If the  
Senate committee decides to change the bill, Senators  
and Representatives work together to iron out the  
differences. They then return the bill to both houses  
for approval.

When both houses have approved the bill, it is sent to the President.

What can the President do to the bill? The President can do one of three things:

1. S/he may sign the bill; it is then a law.
2. S/he may refuse to sign the bill and send it back to the Congress. S/he sends a message telling the Congress why it has been rejected. This rejection of a bill with a message is called a Presidential veto.
3. S/he may keep the bill without doing anything. One of two things will then happen:
  - (a) If Congress is still meeting within the next ten days, the bill will become a law without the President signing it.
  - (b) If the Congress adjourns and stays adjourned for ten days, and the President does not sign the bill, the bill is vetoed. This is called a pocket veto.

What can Congress do if the President vetoes a bill?  
If Congress wants, it can make a vetoed bill a law if 2/3rds of both houses of Congress agree. This is called "overriding a Presidential veto."

---

|             |                                                                                                       |
|-------------|-------------------------------------------------------------------------------------------------------|
| Directions: | Return to the "Focus Your Reading" questions above. Answer these questions. Check your answers below. |
|-------------|-------------------------------------------------------------------------------------------------------|

---

Answers: Focus Your Reading

1. Only the House of Representatives may introduce appropriation bills (bills which involve spending the taxpayers' money).
2. A Senator may give a long speech which will prevent the Senate from voting on a bill. This action is called filibuster.
3. The President has 10 days in which to veto a bill.
4. A Presidential veto occurs when the President rejects a bill. S/he sends it back to Congress within ten days after s/he receives the bill. S/he also sends a message to Congress which gives her/his reasons for rejecting the bill.
5. A pocket veto occurs when the President does not approve or veto a bill within ten days after getting it. The Congress adjourns and stays

- adjourned for ten days. The bill is automatically vetoed. This type of veto is called a pocket veto.
6. Lobbyist is the name given to people who try to influence the way Congresspersons vote.

## PART TWO: THE U.S. CONSTITUTION

### CHECKS AND BALANCES

#### Vocabulary

---

Directions: Carefully read and study the following words and definitions. Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. judicial review: This is a power of the Supreme Court. This power allows the Court to decide if laws made by Congress are following the laws in the Constitution.
2. Marbury v. Madison: The case, Marbury v. Madison, in 1803 set up the Supreme Court's power of judicial review. John Marshall was the Chief Justice of the Supreme Court when this power was first used. The power of judicial review is not given to the Supreme Court by the Constitution.
3. stare decisis: the habit of using a court's decision in one case as the rule for deciding other cases like it.

#### Focus Your Reading

---

Directions: Read the following questions. Think of possible answers.

---

Give one example of each Department's check on the other Departments:

1. Legislative checks Executive: \_\_\_\_\_
2. Legislative checks Judicial: \_\_\_\_\_

3. Executive checks Legislative: \_\_\_\_\_
4. Executive checks Judicial: \_\_\_\_\_
5. Judicial checks Legislative: \_\_\_\_\_
6. Judicial checks Executive: \_\_\_\_\_
7. What is judicial review? \_\_\_\_\_  
\_\_\_\_\_
8. What case established the Supreme Court's power of  
judicial review? \_\_\_\_\_  
\_\_\_\_\_

#### Explanation

Directions: Read the following for an understanding of the Checks and Balances system of the federal government. Read to find the answers to the questions above.

The Constitution separated the powers of the federal government into three branches. The Constitution also provided that the three branches would "check and balance" each other.

#### How does the Legislative branch check the Executive branch?

The Senate can accept or reject the President's treaties and the people appointed to be federal judges.

The Congress can reject the President's choice of a Vice President. (Amendment 25 allows the President to choose a Vice President if the elected Vice President cannot serve.)

The Congress can pass a law even if the President has vetoed it.

The Congress can remove the President, Vice President, or other Executive Department officials from office through the impeachment process.

How does the Legislative branch check the Judicial branch?

The Congress can remove federal judges through the impeachment process.

The Senate must approve the appointments of judges.

How does the Executive branch check the Legislative branch?

The President can veto the laws which Congress makes.

How does the Executive branch check the Judicial branch?

The Executive branch can appoint federal judges.

How does the Judicial branch check the Legislative branch?

The Supreme Court can declare that the laws which Congress makes are unconstitutional. This power was not given to the Supreme Court by the Constitution. The power was established during the Marbury v. Madison case.

How does the Judicial branch check the Executive branch?

In an impeachment case, the Chief Justice of the Supreme Court is the judge when the Senate has an Executive Department official on trial.

---

Directions: Return to the "Focus Your Reading" questions above. Answer these questions; check your answers below.

---

Answers: Focus Your Reading

1. The Legislative checks the Executive:
  - Senate accepts or rejects President's treaties and federal judges;
  - Congress accepts or rejects the President's choice of a Vice President;
  - Congress can pass a law over the President's veto; and
  - Congress can remove Executive Department officials through the impeachment process.

Answers: Focus Your Reading

2. The Legislative checks the Judicial:  
Congress can remove federal judges;  
The Senate must approve the appointments of judges.
3. The Executive checks the Legislative:  
The President can veto the laws which Congress makes.
4. The Executive checks the Judicial:  
The President can appoint federal judges.
5. The Judicial checks the Legislative:  
The Supreme Court can declare a law that Congress makes unconstitutional.
6. The Judicial checks the Executive:  
The Chief Justice of the Supreme Court serves as the judge in impeachment trials of Executive Department officials.
7. Judicial review is the power the Supreme Court has to say that laws which Congress makes do not follow the Constitution.
8. The case of Marbury v. Madison set up the Supreme Court's power of judicial review. (The power of judicial review was not given to the Supreme Court by the Constitution.)

## PART TWO: THE U.S. CONSTITUTION

### ARTICLES IV - VII: The States Work Together Amending the Constitution The Constitution Comes First Putting the Constitution to Work

#### Vocabulary

Directions: Study the words and their definitions.  
Refer to the vocabulary as needed  
when reading the "Explanation"  
which follows.

1. extradition: The governor of one state returns a person to the state where s/he has been accused of a crime. (The governor of the accusing state must request the person's return.)
2. republican: a government where the power comes from the people.

#### Focus Your Reading

Directions: Read the following questions. Think  
of possible answers.

1. What is extradition? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. How can you become the citizen of another state?  
\_\_\_\_\_
3. Who must approve changing a state's boundary?  
\_\_\_\_\_
4. What type of government does the Constitution guarantee each state? \_\_\_\_\_
5. According to Article VI, what are the supreme laws of the land? \_\_\_\_\_  
\_\_\_\_\_

6. How may an amendment to the Constitution be proposed? \_\_\_\_\_  
\_\_\_\_\_
7. How may an amendment to the Constitution be ratified (approved)? \_\_\_\_\_  
\_\_\_\_\_
8. How many states had to approve the Constitution before it became law? \_\_\_\_\_

Explanation: Article IV: The States Work Together

|             |                                                                                                                                                                                |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Directions: | Read the following paragraphs to get a better understanding of the way the states work together under the federal government. Read to find the answers to the questions above. |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

How does the Constitution ensure that the states will work together? The Constitution says that:

- (1) all states must honor the laws, records, and court rulings of the other states,
- (2) a U.S. citizen can travel from state to state without giving up his/her personal rights,
- (3) a citizen of one state may become the citizen of another state by moving to and living in the state, and
- (4) if a person breaks a law and runs to another state, the governor of the state where the law was broken can ask that the lawbreaker be sent back. This process is called extradition.

What does the Constitution say about creating new states? It says that:

- (1) Congress can bring new states into the union, and
- (2) a new state cannot be made by putting other states together unless the legislatures of the states and Congress agree.

What will the federal government do for the states? The federal government will:

- (1) make sure that each state has a government of the people (a republican form of government),
- (2) protect each state if the country is at war, and
- (3) send soldiers to a state when the state legislature or governor asks for them.

Explanation: Article V: Amending the Constitution

---

Directions: Read the following paragraphs to get a better understanding of the way the Constitution can be amended. Read to find the answers to the questions above.

---

How can the Constitution be amended? There are two steps to be followed when the Constitution is being amended.

What is the first step? The first step is that the amendment must be proposed. Two groups have the power to start the amendment process:

- (1) 2/3rds of both houses of Congress can vote to propose an amendment, or
- (2) 2/3rds of the state legislatures can ask Congress to call a national constitutional convention. This convention will write the amendments; they will propose that they be accepted.

What is the second step? The amendments must be approved by either of the following:

- (1) 3/4ths of the state legislatures, or
- (2) 3/4ths of the state legislatures call conventions and the conventions approve the amendments.

Explanation: Article VI: The Constitution Comes First

---

Directions: Read the following paragraphs to get a better understanding of the way the federal government is supreme. Read to find the answers to the questions above.

---

What is the highest law of the land? Article VI assures that the U.S. Constitution, federal laws, and U.S. treaties will be obeyed before all other laws. It states:

- (1) the Constitution, the laws made by Congress, and U.S. treaties are the highest laws;
- (2) all judges, and federal and state officials shall uphold the Constitution.

Additionally, Article VI says that no one shall have to pass a religious test in order to work as a government officer in the U.S.

Explanation: Article VII: Putting the Constitution to Work

---

Directions: Read the following paragraph to get a better understanding of the way the Constitution took effect. Read to find the answers to the questions above.

---

When would the Constitution become the highest law of the land? Article VII states that the Constitution would be law when nine states approved it.

---

Directions: Return to the "Focus Your Reading" questions above. Answer these questions; check your answers below.

---

Answers: Focus Your Reading

1. In extradition, the governor of a state returns a person to the state where s/he has been accused of a crime. (The governor of the accusing state must request the person's return.)
2. You can become the citizen of another state by moving to the state and living there.
3. A state's boundaries may be changed only if the state legislature and Congress agree.
4. The Constitution guarantees that each state shall have a republican form of government (a government where the powers come from the people).
5. Article VI says that the U.S. Constitution, laws made by Congress, and U.S. treaties are the supreme law of the land.
6. Two-thirds of both houses of Congress may propose an amendment; 2/3rds of the state legislatures may ask Congress to call a convention which will propose the amendment.

7. An amendment must be ratified (approved) by either 3/4ths of the state legislatures or 3/4ths of the state conventions.
8. Nine states had to approve the Constitution before it could become law.

## PART TWO: THE U.S. CONSTITUTION

### THE AMENDMENTS

#### Vocabulary

---

Directions: Study the words and their definitions.  
Take the vocabulary quiz which follows the words.  
Check your answers.  
Return to the vocabulary as needed when reading the "Explanation" which follows.

---

1. Suffrage: the right to vote.
2. due process of law: The Fifth Amendment guaranteed to U.S. citizens. (Blacks were not citizens when this Amendment was written) that every protection of every law would be applied to them. For example: if arrested, citizens would be allowed the privilege of a writ of habeas corpus and all the rights in the Bill of Rights.

The Fourteenth Amendment extended due process of law to all citizens. (Blacks were made citizens by this Amendment also).

3. poll tax: a tax that must be paid in order for a person to vote.
4. self-incrimination: to make yourself look guilty.
5. bail: an accused person's property which the court keeps to be assured that the accused person will return for his/her trial.
6. warrant: an order from a judge.

#### Vocabulary Quiz

---

Directions: Put the letter of the correct definition in the blank in front of the word it defines.

---

- |                 |                                |
|-----------------|--------------------------------|
| ___ 1. suffrage | a. a tax which voters must pay |
|-----------------|--------------------------------|

- |                           |                                                                                                               |
|---------------------------|---------------------------------------------------------------------------------------------------------------|
| ___ 2. due process of law | b. the proper use of the laws which guarantees all citizens that they will get their legal rights             |
| ___ 3. poll tax           |                                                                                                               |
| ___ 4. self-incrimination | c. money given to the court by an accused person to guarantee the court that the person will return for trial |
| ___ 5. bail               | d. a judge's order                                                                                            |
| ___ 6. warrant            | e. the right to vote                                                                                          |
|                           | f. a person making him/herself seem guilty                                                                    |

Answers: Vocabulary Quiz

1. e 2. b 3. a 4. f 5. c 6. d

Focus Your Reading

---

Directions: Read the following questions. Think of possible answers.

---

1. Which amendments make up the Bill of Rights? \_\_\_\_\_  
\_\_\_\_\_
2. Which amendment guarantees the rights of free speech, press, peaceful assembly, and freedom of religion? \_\_\_\_\_  
\_\_\_\_\_
3. What does the Fifth Amendment guarantee you? \_\_\_\_\_  
\_\_\_\_\_
4. What do the 6th, 7th, and 8th amendments guarantee a person who has been arrested? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. What were the Civil War Amendments? \_\_\_\_\_

6. What was involved in the case, Brown v. the Board of Education? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Which amendment made the Bill of Rights apply to all citizens, including Blacks? \_\_\_\_\_  
\_\_\_\_\_
8. Which amendment gave women the right to vote? \_\_\_\_\_  
\_\_\_\_\_
9. Which amendment gave 18-year-old citizens the right to vote? \_\_\_\_\_  
\_\_\_\_\_

Explanation

Directions: Read the following paragraphs to get a better understanding of the amendments to the Constitution. Read to find the answers to the questions above.

The first ten amendments to the Constitution are the Bill of Rights. They were added to the Constitution in order to clearly guarantee each citizen his/her rights.

What rights does the 1st Amendment guarantee? The 1st Amendment guarantees that you are free to choose a religion, to make speeches, to print your ideas, and to meet with others in a peaceful manner.

May you own a gun? The 2nd Amendment guarantees that citizens may protect themselves with guns or guards.

In peacetime, must you keep soldiers in your home? The 3rd Amendment guarantees that you will not be forced to have soldiers living in your home during peacetime.

Can you or your property be searched? Yes, but the 4th Amendment guarantees that you or property will not be searched without a "warrant," an order from a judge.

Do you have to testify against yourself in court? The 5th Amendment guarantees that you will not have to say anything against yourself in court. You will not have to incriminate yourself.

The 5th Amendment also gives you the right to own property.

If you are accused of a crime, how will the 6th, 7th, and 8th amendments protect you?

The 6th Amendment guarantees you a speedy trial and a lawyer.

The 7th Amendment guarantees you a trial by jury.

The 8th Amendment guarantees that you will not have to post an "excessive" bail. It also guarantees that you will not be given a "cruel and unusual" punishment.

What does the 9th Amendment guarantee? The Constitution gives you certain rights, but cannot list all of them.

The 9th Amendment says that if a right is not mentioned in the Constitution, this does not mean that you do not have this right.

How do the states get their powers? The 10th Amendment guarantees that all powers not delegated to the federal government or forbidden to the states belong to the states or the people.

The other sixteen amendments to the Constitution have been written at various times throughout the history of the U.S.

What does the 11th Amendment (1798) state? The 11th Amendment says that cases against the state government cannot be tried in federal court.

What did the 12th Amendment (1804) change? The 12th Amendment changed the action of the Electoral College. It requires the College to vote for one person for President and another for Vice President. When the Constitution was first written, it required the College to vote for two people. Either person could become President.

What were the Civil War Amendments?

The 13th Amendment (1865) abolished slavery.

The 14th Amendment (1868) made Blacks U.S. citizens.

It extended the right of due process of law to all citizens. It guaranteed equal protection under the laws to all citizens.

The 15th Amendment (1870) gave Black men the right to vote.

What was the case, Brown vs. the Board of Education?

In 1954 the 14th Amendment of the Constitution was applied to the case of Brown v. the Board of Education. This famous case argued that Black schools were not equal to white schools. The 14th Amendment guarantees equal protection to all. The Supreme Court agreed that the Black schools were not equal. The Supreme Court declared separate schools to be unconstitutional.

What tax did the 16th Amendment (1913) establish? The 16th Amendment established the income tax.

Who now elects U.S. Senators? The 17th Amendment (1913) allowed the people to elect the U.S. Senators. Before 1913, the Senators from each state were elected by the legislature of the state.

What were the 18th (1919) and 21st (1933) Amendments? The 18th Amendment outlawed liquor; the 21st Amendment made liquor legal again.

Which amendment allowed women to vote? The 19th Amendment (1920) granted suffrage to women.

How did the 20th (1933) and 22nd (1951) Amendments affect the President? The 20th Amendment changed the date that Presidents take office to January 20. The 22nd Amendment limited the number of years any President can serve to ten.

What did the 23rd Amendment (1961) give to citizens of Washington D.C.? It gave them the right to vote.

What did the 24th Amendment (1964) outlaw? The 24th Amendment made poll taxes illegal.

What power did the 25th Amendment (1967) give the President? The 25th Amendment gave the President the power to appoint (with Congressional approval) a Vice President if the elected Vice President is unable to serve.

What did the 26th Amendment (1971) give to 18-year-old citizens? The 26th Amendment gave 18-year-old citizens the right to vote.

---

Directions: Return to the "Focus Your Reading" questions above. Answer these questions. Check your answers below.

---

Answers: Focus Your Reading

1. The first 10 amendments to the Constitution make up the Bill of Rights.
2. The First Amendment guarantees the rights of free speech, peaceful assembly, free press, and free choice of religion.
3. The Fifth Amendment guarantees that you will not have to say anything against yourself (incriminate yourself) in court.
4. The 6th Amendment guarantees a speedy trial and a lawyer to an accused person.  
The 7th Amendment guarantees a trial by jury.  
The 8th Amendment guarantees that a person will not have to give an excessive bail.  
It also guarantees that punishments will not be cruel and unusual.
5. The Civil War Amendments were the 13th, 14th, and 15th.  
The 13th Amendment abolished slavery.  
The 14th Amendment gave U.S. citizenship to Blacks.  
It guaranteed due process of law and equal protection under the laws to all citizens.  
The 15th Amendment gave Black men the right to vote.
6. In the case of Brown v. the Board of Education, separate schools for Blacks were judged to be unequal. Since the 14th Amendment guarantees equal protection to all, the Black schools were declared unconstitutional.
7. The 14th Amendment applied the Bill of Rights to all citizens, including Blacks.
8. Women were given the right to vote by the 19th Amendment (1920).
9. The 26th Amendment gave 18-year-old citizens the right to vote (1971).

## PART THREE: THE ILLINOIS CONSTITUTION

### INTRODUCTION

The present Illinois Constitution was approved by State voters in 1970. This Constitution contains two parts. It has a Preamble (introduction) and 14 articles. There are no amendments to this Constitution.

The state government is organized very much like the federal government. It is helpful to compare and contrast the Illinois Constitution to the U.S. Constitution when you are studying the Illinois Constitution.

The Illinois Constitution provides for areas of government over which the federal government has little control. The power to govern these areas is reserved to the states by the U.S. Constitution. Some of these important areas are local governments, taxation, public education, elections, and voting.

The following exercise and explanations will help you understand the Illinois Constitution.

### PART THREE: THE ILLINOIS CONSTITUTION

ARTICLES I - III:    The Bill of Rights  
                          The Separation of Powers  
                          Voting and Elections

#### Vocabulary

---

Directions:    Study the words and their  
                          definitions.

---

1. discriminate: to unfairly favor one person, one group, one thing, etc.
2. felony: a serious crime such as murder or burglary, commonly those crimes which are punished by more than one year in prison.

#### Focus Your Reading

---

Directions:    Read the following questions. Think  
                          of possible answers.

---

1. Where is the Bill of Rights in the Illinois Constitution? \_\_\_\_\_
2. The Illinois Constitution guarantees freedom from discrimination on the basis of a person's sex. It also guarantees that people with certain handicaps will not be discriminated against. What are the handicaps? \_\_\_\_\_
3. What group of people is not allowed to vote in Illinois? \_\_\_\_\_
4. How often are General Assembly members elected? \_\_\_\_\_

#### Explanation:    Article I:    The Bill of Rights

---

Directions:    Read the following paragraphs to  
                          get a better understanding of the  
                          first three articles of the Illinois  
                          Constitution. Read to find the  
                          answers to the questions above.

---

What is the Bill of Rights for Illinois citizens?

Article I is the Bill of Rights for Illinois citizens in the State Constitution.

What is in the Bill of Rights? The Bill of Rights in the Illinois Constitution makes the same guarantees to Illinois citizens as the U.S. Constitution makes to all U.S. citizens. It also guarantees that citizens will not be discriminated against because of their sex, or physical or mental handicaps.

Explanation: Article II: Separation of Powers

What is in Article II? Article II separates the state government's powers into three branches: the Legislative, the Executive, and the Judicial.

Explanation: Article III: Voting and Elections

Who can vote? In order to vote in Illinois, a person must be a U.S. citizen. S/he must be of voting age. (The 26th Amendment to the U.S. Constitution sets 18 years as the voting age.) A voter must have lived in Illinois for six months.

Who cannot vote? A person who has been convicted of a felony (serious crime) cannot vote while s/he is in jail.

What is a General Election? "General Election" is the name of the election at which members of the General Assembly are chosen. In Illinois these elections are held every two years.

---

Directions: Return to the "Focus Your Reading" questions above. Answer these questions. Check your answers below.

---

Answers: Focus Your Reading

1. Article I is the Bill of Rights in the Illinois Constitution.
2. The Illinois Constitution guarantees citizens they will not be discriminated against because of a physical or mental handicap.
3. Persons convicted of a felony are not allowed to vote while in prison.
4. Members of the General Assembly (Illinois Senators and Representatives) are chosen every two years.

## ARTICLE IV: The State Legislature

### Vocabulary

---

Directions: Study the words and their definitions.  
Take the vocabulary quiz which follows the words.  
Check your answers.  
Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. General Assembly: the name of the legislature in Illinois. The General Assembly is made up of the Senate and House of Representatives.
2. cumulative voting: the method Illinois citizens follow when voting for Representatives to the General Assembly. This method allows citizens to vote in one of three ways: They may give one vote to each three candidates. They may give one and one-half votes to each of two candidates, or they may give three votes to one candidate.
3. General Election: the elections held in even numbered years in Illinois. Members of the General Assembly are chosen in these elections.
4. appropriation: a plan the Legislature makes to spend the taxpayers' money.
5. minority party: a political party that has fewer supporters in an area than the other political parties have in the area.

### Vocabulary Quiz

---

Directions: Put the letter of the definition in front of the word it defines.  
Check your answers below.

---

1. General Assembly    a. elections for General Assembly members: held every two years in Illinois

- \_\_\_ 2. cumulative voting      b. method of voting for Illinois Representatives
- \_\_\_ 3. General Election      c. a political party which has few supporters in an area
- \_\_\_ 4. appropriation
- \_\_\_ 5. minority party      d. the name of the Legislature in Illinois
- e. a plan to spend the taxpayers' money

Answers: Vocabulary Quiz

1. d 2. b 3. a 4. e 5. c

Focus Your Reading

Directions: Read the following questions. Think of possible answers.

1. How many legislative districts are there in Illinois? \_\_\_\_\_
2. How many people are sent to the General Assembly from each legislative district?  
\_\_\_\_\_
3. What is cumulative voting? \_\_\_\_\_
4. Can the Governor call a special session of the Legislature? \_\_\_\_\_
5. What special veto power does the Governor have?  
\_\_\_\_\_
6. Does the Legislature have the power to "check" the Executive and Judicial branch officials? \_\_\_\_\_
7. Who must decide if General Assembly members are properly elected and qualified to serve? \_\_\_\_\_

---

Directions: Read the following paragraphs to get a better understanding of the Illinois Legislative Department. Read to find the answers to the questions above.

---

What is in Article IV? Article IV states the laws governing the State Legislature. The Legislature has the power to make the laws governing the citizens of the State of Illinois.

What is a legislative district? How many are there? A legislative district is an area of the state that has the same Senator and same three Representatives to the General Assembly. There are 59 legislative districts in Illinois. The district boundaries are reset every ten years, after each census. Each district is to have approximately as many citizens living there as every other district has.

How is the Legislature organized? The Legislature is divided into two houses, a Senate and a House of Representatives. The Legislature is called the General Assembly. There are 59 Senators, one from each district. There are 177 Representatives, three from each district.

How many people represent you in the General Assembly? Each citizen of Illinois lives in one of the 59 legislative districts. Each district sends four people to the General Assembly, one Senator and three Representatives. Thus, each citizen in Illinois has four people representing her/him in the Illinois Legislature.

What is cumulative voting? Each voter in Illinois has three votes for the Representatives from her/his district to the House of Representatives. A citizen may give one vote to each of three candidates. A citizen may give one and one-half votes to two candidates, or each citizen may give three votes to one candidate. This is called cumulative voting.

Why is cumulative voting important? Cumulative voting is designed to prevent one political party from having all three Representatives elected in one district. People who support a candidate from a political party

that is not so popular (a minority party) can give all three votes to their candidate. This gives the minority party a better chance of getting a Representative from their party elected.

Who can call the Legislature into special session? The Senate elects a President. The House of Representatives elects a Speaker.

How are laws passed? The General Assembly passes laws in basically the same way that the U.S. Congress does.

Can the Governor veto a bill? Yes

Can the General Assembly override the Governor's veto? Yes, if 3/5ths of the members of the General Assembly vote to override the veto.

What special veto power does the Governor have that the President does not have? Appropriation bills (bills which deal with spending the taxpayers' money) have hundreds of items about ways to spend money in them. The Governor may veto one or more items in an appropriation bill without vetoing the entire bill. This is called the power of item veto. The President does not have this power. S/he must veto all of any bill that s/he wants changed.

Can the Legislative branch check the Executive and Judicial branch officials? Yes, the House may accuse the official of wrongdoing. The Senate then acts as the jury to try the official if the House has presented enough evidence against her/him. This is called the impeachment process. It is like the impeachment process which the U.S. Legislature follows.

What must the Legislature do in order to "police" itself? Like the U.S. Congress, the General Assembly must keep a check on its members. The General Assembly can expel a member if 2/3rds of the members agree. Members of the General Assembly are not impeached.

---

Directions: Return to the "Focus Your Reading" questions above. Answer these questions. Check your answers below.

---

Answers: Focus Your Reading

1. There are 59 legislative districts in Illinois.
2. Four people (one Senator and three Representatives) are sent to the General Assembly by each legislative district.
3. Cumulative voting is the opportunity voters have to give more than one vote to a candidate for Illinois Representative.
4. The Governor can call a special session of the General Assembly.
5. The Governor can veto an item or items in an appropriation bill. S/he does not have to veto an entire bill.
6. The General Assembly can cause the members of the Executive and Judicial branches to lose their jobs. The General Assembly can remove these officials through the impeachment process.
7. The General Assembly "polices" its own members. With a 2/3rds vote, the Senate or House can remove one of its own members. General Assembly members (like U.S. Congresspersons) are not impeached.

ARTICLE V: The State Executive Department

Vocabulary

---

Directions: Study the words and their definitions. Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. reprieve: the postponement of the date when punishment is to begin
2. commutation: a change to a lighter punishment for a person convicted of committing a crime
3. pardon: a complete forgiveness of the person who has been convicted of a crime. After a pardon, the person is considered innocent, just as if s/he had never been found guilty of the crime.
4. Comptroller: controller. In Illinois the Comptroller "controls" the money of the State. S/he must approve all payments the State makes.

### Focus Your Reading

Directions: Read the following questions. Think of possible answers.

1. How many elected Executive Department officials does Illinois have? \_\_\_\_\_
2. Must all these elected officials be from the same political party? \_\_\_\_\_
3. Who is the commander of the Illinois National Guard during peacetime? \_\_\_\_\_

### Explanation

Directions: Read the following paragraphs to get a better understanding of the State Executive Department. Read to find the answers to the questions above.

Article V states the laws governing the Executive branch of the Illinois government. The Executive branch includes six elected officials. Other officials of the Executive Department are appointed by the Governor if the Senate approves.

What are the qualifications for elected Executive Department officials? They must be 25 years old, Illinois residents for 3 years, and U.S. citizens.

How long do Executive Department officials serve? They serve four year terms.

Who are the elected Executive Department officials?  
What are their duties?

GOVERNOR: What are the Governor's duties? The main duties of the Governor are to: see that the laws of the State are followed; appoint Executive Department officials; grant reprieves, pardons, and commutations; send messages to the General Assembly; sign or veto bills; and command the Illinois National Guard during peacetime.

LT. GOVERNOR: What are the Lt. Governor's duties? The Lt. Governor has those duties the Governor assigns her/him. S/he will act as Governor if the elected Governor dies, resigns, or is impeached.

ATTORNEY GENERAL: What are the Attorney General's duties? The Attorney General is to advise the state government on legal questions.

SECRETARY OF STATE: What are the Secretary of State's duties? The Secretary of State keeps the records of the State including driver and auto licenses.

COMPTROLLER: What are the Comptroller's duties? The Comptroller keeps money records and must approve all payments that the State makes.

TREASURER: What are the Treasurer's duties? The Treasurer keeps the State's money. S/he also invests the State's money and pays out the money when the Comptroller orders.

Whom does the Governor appoint in the Executive Department? The Governor appoints all officers whose elections are not provided for in the Constitution. The Senate must approve all the appointments the Governor makes.

What is one main difference between the powers of the Governor and the President? The President has much more power to appoint officials than the Governor does. The President appoints all the members of the Executive Department. Four of the main officials of the State Executive Department are elected. Thus, the heads of these Departments may be of different political parties from the Governor. (The Lt. Governor is also elected, but s/he is to be of the same political party as the Governor.)

Also, the President appoints all federal judges. In Illinois, all State judges are elected by the people or appointed by other judges, not by the Governor.

Directions: Return to the "Focus Your Reading" questions above. Answer these questions. Check your answers below.

Answers: Focus Your Reading

1. Illinois has six elected officials in the Executive Department: the Governor, the Lt. Governor, the Attorney General, the Secretary of State, the Comptroller, and the Treasurer.
2. Only the Lt. Governor is expected to be from the same political party as the Governor.
3. The Governor is the commander of the Illinois National Guard during peacetime.

ARTICLE VI: The State Judicial Department

Focus Your Reading

Directions: Read the following questions. Think of possible answers.

1. How many types of courts does Illinois have?  
\_\_\_\_\_
2. How are the types of courts in Illinois?  
\_\_\_\_\_
3. How are judges chosen in Illinois?  
\_\_\_\_\_
4. How many judicial districts are there in Illinois?  
\_\_\_\_\_

Explanation

Directions: Read the following paragraphs to get a better understanding of the State Judicial Department. Read to find the answers to the questions above.

The Judicial Department contains the courts and judges for the State of Illinois. This Department decides what the laws mean. It also decides if people have followed the laws.

How many types of courts are there in the State court system? Illinois has a three court system, much like the federal court system. The three types of courts are the Illinois Supreme Court, the Appellate (appeal) Courts, and the Circuit (trial) Courts.

How are judges chosen in Illinois? Judges are elected in Illinois except for the associate judges. Associate judges are appointed by the circuit judge of the district where they serve.

What is a judicial district? How many are there in Illinois? A judicial district is an area of the State that has the same court and judges. There are five judicial districts in Illinois.

What is the State court system?

| Court's Name           | How many courts/judges?                                   | What are the court's powers/duties?                                                                                                 |
|------------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| ILLINOIS SUPREME COURT | One court<br>7 justices                                   | Has original jurisdiction in only 4 types of cases.<br><br>Hears other cases on appeal from either the Appellate or Circuit Courts. |
| APPELLATE COURTS       | 9 courts<br>27 judges                                     | Hears cases appealed from the Circuit Courts in the same judicial district.                                                         |
| CIRCUIT COURTS         | 21 circuits<br>146 circuit judges<br>202 associate judges | These are the main trial courts.                                                                                                    |

How long do judges serve? Supreme and Appellate Court judges are elected for 10 years. Circuit judges are elected for 6 years. Associate judges are appointed for 4 years.

---

Directions: Return to the questions above.  
Answer these questions. Check your answers below.

---

Answers: Focus Your Reading

1. Illinois has three types of courts. The federal government also has three types.
2. The three types of Illinois courts are the Circuit (trial), Appellate (appeal), and Supreme Court.
3. Judges are elected in Illinois. (In the federal courts they are appointed by the President.)
4. There are 5 judicial districts in Illinois.

ARTICLES VII - XIV: Local Government

Finance

Revenue

Education

Environment

Militia

General Provisions

Constitutional Revision

Vocabulary

---

Directions: Study the words and their definitions.  
Take the vocabulary quiz which follows the words.  
Check your answers.  
Refer to the vocabulary as needed when reading the "Explanation" which follows.

---

1. ordinance: a law passed by a governmental unit smaller than the State government
2. fiscal year: a 365 day period that does not usually begin on January 1. The first day of the fiscal year is the first day of record keeping about money. The records about the money are finished on the 365th day. The fiscal year for government offices in Illinois begins on July 1 and ends the next year on June 30.

3. audit: an official examination of the books and records which tell about the spending and receiving of money
4. appropriation: a plan the Legislature makes to spend the taxpayer's money
5. revenue: the money that the government gets from taxes and fees
6. graduated income tax: a tax on income that takes a bigger percentage of larger incomes than it does of smaller incomes.  
For example: A person who makes \$10,000 in one year must pay 10% of the income in income taxes. A person who makes \$20,000 per year must pay 20% of the income in income taxes.  
The government of Illinois cannot pass a graduated income tax. Every citizen must pay the same percentage of income tax. The federal income tax is graduated.
7. personal property: household goods and furniture; motor vehicles; machinery and factory parts; and money, stocks, and bonds
8. bond: a certificate which shows that someone or some organization owes you money. (You give the State money in exchange for a bond. The bond shows that the State owes you the money that you gave it.)
9. environment: all one's surroundings - things, people, conditions, influences
10. militia: a body of people that can be called for military service
11. Illinois National Guard: the name of the militia in Illinois
12. civilian: a person who is not in the military service
13. bribery: offering or giving a reward to someone in order to get him/her to do something (usually illegal) that you want done
14. perjury: swearing that something is true when you know it is not

### Vocabulary Quiz

---

Directions: Put the letter of the correct definition in the blank in front of the word it defines. Check your answers below.

---

- |                                 |                                                                                                                                        |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| ___ 1. ordinance                | a. a paper which shows that someone owes you money                                                                                     |
| ___ 2. fiscal year              | b. name of militia in Illinois                                                                                                         |
| ___ 3. audit                    | c. a plan to spend taxpayers' money                                                                                                    |
| ___ 4. appropriation            | d. household goods and furniture, automobiles, money, etc.                                                                             |
| ___ 5. revenue                  | e. a law passed by a smaller governmental unit                                                                                         |
| ___ 6. graduated income tax     | f. people not in the military service                                                                                                  |
| ___ 7. personal property        | g. money that the government gets from taxes and fees                                                                                  |
| ___ 8. bond                     | h. body of people who can be called into active military service                                                                       |
| ___ 9. environment              | i. examination of books and records about spending/receiving money                                                                     |
| ___ 10. militia                 |                                                                                                                                        |
| ___ 11. Illinois National Guard | j. a yearly period that does not usually begin on January 1; money records begin on the first day and end on the last day of this year |
| ___ 12. civilians               | k. type of tax that takes a larger percentage of                                                                                       |

\_\_\_ 13. bribery

larger incomes (illegal  
for Illinois legislature  
to pass)

\_\_\_ 14. perjury

- l. swearing something is  
true when you know that  
it is not true
- m. all of a person's sur-  
roundings
- n. offering a reward to some-  
one in order to get her/him  
to do something (usually  
illegal) you want done

Answers: Vocabulary Quiz

1. e 2. j 3. i 4. c 5. g 6. k 7. d 8. a 9. m  
10. h 11. b 12. f 13. n 14. l

Focus Your Reading

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Directions: Read the following questions. Think  
of possible answers.

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- 1. If there is a conflict between a State law and a  
county ordinance, which should you follow? \_\_\_\_\_  
\_\_\_\_\_
- 2. Are Illinois citizens required to pay a graduated  
income tax to the State? \_\_\_\_\_
- 3. How long does a person have to pay his/her taxes  
before finally losing his/her property? \_\_\_\_\_  
\_\_\_\_\_
- 4. Is all real estate property in Illinois to be  
taxed? \_\_\_\_\_  
\_\_\_\_\_
- 5. How much education is totally paid for by the  
State? \_\_\_\_\_  
\_\_\_\_\_
- 6. Who is Commander-in-Chief of the Illinois militia?  
\_\_\_\_\_

7. Is it legal for the taxpayers' money to be used for public transportation? \_\_\_\_\_
8. Can the Illinois General Assembly alone pass an amendment to the Constitution? \_\_\_\_\_

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Explanation: Article VII: Local Government

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Directions: Read the following paragraphs to get a better understanding of Articles VII - XIV of the Illinois Constitution. Read to find the answers to the questions above.

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What are the local government units in Illinois? The State of Illinois is divided into counties. Each county has a government. Other local government units are cities, villages, incorporated towns, townships, special districts, and units.

What powers do local government units have? Units of local government have limited powers to govern. Local governments may pass ordinances to protect the health, safety, morals, and welfare of their people. They may license business and occupations. They may tax and borrow money.

When there is a conflict, whose power is greater? The State's powers are greater than those of local government units.

Explanation: Article VIII: Finance

How is the taxpayers' money spent? Government money must be used for public purposes. The Legislature has the only authority to tell how public money shall be spent. The Governor reports each year to the Legislature about the money coming into the State treasury. S/he also writes a budget which tells how s/he thinks the money should be spent. The Governor's budget cannot plan to spend more money than s/he thinks the State will be getting.

Who appropriates the taxpayers' money? The Governor recommends a budget to the Legislature. However, it is the Legislature that decides how the money will actually be spent.

How is the State's spending of taxpayers' money checked? The Constitution says that the State's spending must be audited. It also states that all government agencies must use a bookkeeping system like that of all other agencies.

Explanation: Article IX: Revenue

What is one of the major taxes citizens in Illinois must pay? What tax has been outlawed? The Constitution of 1970 set up a nongraduated income tax for Illinois citizens. It stopped the personal property tax. It must be totally ended by January 1, 1979.

What property in Illinois is not to be taxed? Certain property is not to be taxed including: (1) property owned by the State; (2) property owned by the local governments and school districts; and (3) property used by agricultural societies, schools, churches, cemeteries, and nonprofit groups, such as hospitals.

If people do not pay their taxes, how do they lose their property? Property cannot be finally taken from someone who has failed to pay his/her real estate taxes unless:

the court rules to take the property, and  
the person has had a two-year warning.

How can the State raise money? The State may sell bonds in order to raise money.

Explanation: Article X: Education

What is the goal of education in the State? The goal of education is to provide services which will help each person develop to the limits of his/her abilities.

How much education shall be totally provided by the State? The State provides cost free education to State residents through high school.

Who plans the State's educational program? A State Board of Education plans the State's educational program. The Board members are chosen from different regions of the State.

## ARTICLES VII - XIV

### Explanation: Article XI: Environment

What are your rights? The State and its citizens have the responsibility of keeping the environment healthful. Every person has the right to a healthful environment. The General Assembly is to make laws to enforce this right.

### Explanation: Article XII: Militia (Illinois National Guard)

Who belongs to the State militia? The State militia is made up of able-bodied persons, women and men, with no age limit. Certain citizens may volunteer to attend meetings and training (with pay) and be the "active" militia. The rest of the citizens can be called to serve in the militia in an emergency.

### Explanation: Article XIII: General Provisions

Who cannot hold a public office in Illinois? A person convicted of bribery, perjury, or other serious crimes cannot hold an office created by the Constitution.

What must public officials do? Candidates and office holders must file a report which lists their money holdings. It must tell if they have any money interest in any businesses.

What must public officials swear to do? Each office holder must swear to uphold the U.S. Constitution and the Illinois Constitution. They must also swear to do their work in office as well as they can.

Can the State of Illinois be sued? Article XIII provides that the State can be sued.

How can public transportation be funded? Article XIII provides that it is legal for the State's money to be spent for public transportation.

### Explanation: Article XIV: Constitutional Revision

How often must voters decide if a convention to change the Constitution is needed? At least every twenty years the voters in the State must decide if a convention to change the Constitution is needed. If a Constitutional convention does meet and changes are suggested, these changes must be approved by the voters.

Who else may suggest amendments to the Constitution?  
The General Assembly may suggest that amendments to the Constitution may be needed. The voters must also approve any amendments suggested by the General Assembly.

What part of the Constitution is the General Assembly forbidden to amend? The General Assembly cannot propose changes which will affect the structure or the procedures of itself (Article IV). The voters cannot make changes in Article IV which will take away the powers of the General Assembly.

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Directions: Return to the "Focus Your Reading" questions above. Answer these questions. Check your answers below.

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Answers: Focus Your Reading

1. A State law should be followed before a county ordinance.
2. Illinois requires its citizens to pay a nongraduated income tax.
3. A person has two years to pay his/her taxes before finally losing his/her property.
4. Certain property in Illinois (such as church) is not to be taxed.
5. The State totally provides education through high school.
6. The Governor is Commander-in-Chief of the Illinois National Guard in peacetime.
7. Public money can be used for public transportation.
8. The General Assembly alone cannot pass amendments to the Constitution. The voters of Illinois must approve the amendments.

## PART FOUR: THE U.S. FLAG

### DISPLAYING THE FLAG

#### Focus Your Reading

Directions: Read the following questions. Think of possible answers.

1. How should the Flag be displayed with the flags of other nations? \_\_\_\_\_  
\_\_\_\_\_
2. How should the Flag be carried in a procession? \_\_\_\_\_  
\_\_\_\_\_
3. Can the Flag be allowed to touch anything below it? \_\_\_\_\_  
\_\_\_\_\_
4. How should the Flag be displayed with other flags from crossed staffs? \_\_\_\_\_  
\_\_\_\_\_
5. When should the Flag be displayed upside down? \_\_\_\_\_  
\_\_\_\_\_
6. What is the proper position for the U.S. Flag when it is displayed on a staff with the flags of states or cities? \_\_\_\_\_  
\_\_\_\_\_

#### Explanation

Directions: Read the following paragraphs to get a better understanding of the proper manner of displaying the U.S. Flag. Read to find the answers to the questions above.

How should the Flag be displayed when flown with the flags of other nations? When flags of two or more nations are flown on separate staffs, the staffs should be of the same height. The flags should be of approximately the same size. No country is to be honored more than another country.

How should the Flag be carried in a procession? When carried in a procession, the U.S. Flag should be to the marching right. If there is a line of flags, the U.S. Flag should be in front of the center of that line.

How should the Flag be flown with state and local flags in front of buildings? When flown with state or local flags in front of a building, the U.S. Flag should be in the center and on a higher staff.

How should the Flag be displayed with other flags from crossed staffs? When displayed from crossed staffs on a wall, the American flag should be to its own right (the viewer's left). Its staff should be in front of the other staffs.

When should the Flag be flown upside down? The Flag should never be flown upside down except as a signal of distress.

What should the Flag touch? The Flag should always be allowed to fall free. It should never be allowed to touch anything below it. It should never be draped over a hood, top, sides or back of a vehicle.

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Directions: Return to the "Focus Your Reading" questions above. Answer these questions. Check your answers below.

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Answers: Focus Your Reading

1. When the U.S. Flag is displayed with the flags from other nations, it should be at the same height as the other flags. It should be of approximately the same size.
2. When the Flag is carried in a procession, it should be to the marching right. If there is a line of flags, it should be to the front and center of the line.
3. The Flag should be allowed to fall free. It should not touch anything beneath it. It should not be draped on any vehicle.

4. When the Flag is displayed from the wall on crossed staffs, the U.S. Flag should be to its own right (the viewer's left). Its staff should be in front of the staffs of the other flags.
5. The Flag should not be displayed upside down except as a distress signal.
6. When the U.S. Flag is displayed on a staff with the flags of states or cities, the U.S. Flag should be on the Center staff and higher than the other flags.